

EXHIBIT B

Civil Action File No. 5:23-mc-00001-LGW-BWC
*Plaintiff Coalition for Good Governance's Reply to Defendant's Response to
Motion for Sanctions*

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA**

DONNA CURLING, et al.)	
)	
Plaintiffs)	Civil Action No.
)	1:17-cv-02989-AT
)	
BRIAN P. KEMP, et al.,)	
)	
Defendants)	

**COFFEE COUNTY BOARD OF ELECTIONS & REGISTRATION’S
RESPONSE TO COALITION OF GOOD GOVERNANCE’S SUBPOENA
TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO
PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

Coffee County Board of Elections & Registration (hereinafter “CCBOE”) provides the following response to Coalition of Good Governance’s Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of the Premises in a Civil Action issued by Bruce Brown, Esq. on behalf of Coalition of Good Governance, as follows:

1. All Documents, including Communications, referencing, including or referring to Ben Cotton or CyFIR,LLC.

Response: None.

2. All Communications, including text messages, between You and Ben Cotton, Doug Logan, Russ Ramsland, Scott Hall, Stefanie Lambert Juntilla, or Russ Ramsland.

Response: None.

3. All Document evidencing Your knowledge of any agreement or contract retaining Ben Cotton, CyFIR LLC, or any Person for the purpose of imaging or analyzing Coffee County's Election System, EMS servers or election data.

Response: None.

4. Documents that evidence, refer to, or reflect approximately when any Access to Coffee County's Election System, EMS Servers and Election Data took place or was requested.

Response: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or Plaintiff's counsel, or attached as exhibits to the depositions of Eric Chaney and/or Jil Riddlehoover.

5. All Documents that evidence, refer to or relate to any efforts You have made to investigate any Access to Coffee County's Election System, EMS Servers and Election Data.

Response: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or Plaintiff's counsel, or attached as exhibits to the depositions of Eric Chaney and/or Jil Riddlehoover.

6. Documents that evidence, refer to, or reflect the Persons involved in any way, or who have knowledge of, any Access to Coffee County's Election System, EMS Servers and Election Data, including, but not limited to, Persons

who requested, organized, planned, communicated about, led, participated in, financed, approved, or compensated any Persons who were present, reimbursed expenses, or were present on the day of, or have knowledge of such events.

Response: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or Plaintiff's counsel, or attached as exhibits to the depositions of Eric Chaney and/or Jil Riddlehoover.

7. Documents that evidence, refer to, or reflect what data, systems, components, hardware, ballots, or processes were imaged, copied, reviewed or accessed during any Access to Coffee County's Election System and EMS Servers, including requests for such activities or access.

Response: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or Plaintiff's counsel, or attached as exhibits to the depositions of Eric Chaney and/or Jil Riddlehoover.

8. Documents that evidence, refer to, or reflect which Coffee County Election System images, devices, or documents were reviewed, scanned and/or imaged and/or copied by any Persons as part of any Access to Coffee County's Election System, EMS Servers and Election Data.

Response: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or Plaintiff's counsel, or attached as exhibits to the depositions of Eric Chaney and/or Jil Riddlehoover.

9. Documents showing Your involvement in, knowledge of, or observation of, any planned or actual Access to Coffee County's Election System, EMS Servers and Election Data.

Response: None.

10. Without limiting the generality of the foregoing, any Documents, including Communications, relating to, reflecting, or evidencing any trip made by Scott Hall, Paul Maggio, Russell Ramsland, Greg Freemeyer, Conan Hayes, Doug Logan, Ben Cotton, Jennifer Jackson, or Jeffrey Lenberg, to Coffee County, Georgia, between November 1, 2020 and January 30, 2021.

Response: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or Plaintiff's counsel, or attached as exhibits to the depositions of Eric Chaney and/or Jil Riddlehoover.

11. All Documents that evidence, refer to, or reflect any Communications (oral, electronic or written) by or between You and the Secretary of State, the State Elections Board and its members, Coffee County government management and elected county officials, other Georgia counties' officials, or other third parties relating to any Access to Coffee County's Election System, EMS Servers and Election Data, including any Communications concerning the equipment images, ballot images, or electronic files obtained during any Access to Coffee County's Election System, EMS Servers and Election Data.

Response: CCBOE objects to this request to the extent that this request seeks attorney client privileged communications and/or attorney work product. Subject to said objection and without waiving same, CCBOE responds as follows: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or Plaintiff's counsel or attached as exhibits to the depositions of Eric Chaney and/or Jil Riddlehoover.

12. All Documents that evidence, refer to, or reflect any actual or potential security vulnerabilities, risks, failings, deficiencies, concerns, complaints, hacks, tabulation discrepancies, scanning discrepancies, or compromises involving any aspect of Coffee County's Election System, including but not limited to any computer systems or network environments that support the operation of the Election System.

Response: CCBOE objects to this request to the extent that this request seeks attorney client privileged communications and/or attorney work product. Subject to said objection and without waiving same, CCBOE responds as follows: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or Plaintiff's counsel or attached as exhibits to the depositions of Eric Chaney and/or Jil Riddlehoover.

13. All Documents, including any Communications, that evidence, support, concern, or refer to the December 10, 2020 Letter from the Coffee County Board of Elections and Registration directed to the House Governmental Affairs Committee, with the subject "Elections Investigative Hearing."

Response: CCBOE objects to this request to the extent that this request seeks attorney client privileged communications and/or attorney work product. Subject to said objection and without waiving same, CCBOE responds as follows: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or Plaintiff's counsel or attached as exhibits to the depositions of Eric Chaney and/or Jil Riddlehoover.

14. All Documents that evidence, refer to, or reflect any Communications by or between You, the Secretary of State, the State Elections Board and its members, other Georgia counties' officials, and/or other third parties, regarding this litigation, or any governmental agency's investigation of matters involving or related to the Coffee County EMS server.

Response: CCBOE objects to this request to the extent that this request seeks attorney client privileged communications and/or attorney work product. Subject to said objection and without waiving same, CCBOE responds as follows: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or Plaintiff's counsel or attached as exhibits to the depositions of Eric Chaney and/or Jil Riddlehoover.

15. All Documents that evidence, refer to, or reflect any copying of, imaging of, access to, or any request to copy or access any component of Georgia's Election System, any data located on any such component, or voted ballots, that was not duly authorized by one or more Georgia state election officials with authority to lawfully allow such access.

Response: CCBOE objects to this request to the extent that this request seeks attorney client privileged communications and/or attorney work product. Subject to said objection and without waiving same, CCBOE responds as follows: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or Plaintiff's counsel or attached as exhibits to the depositions of Eric Chaney and/or Jil Riddlehoover.

16. All Documents that evidence, refer to, or reflect any Communications between You and Scott Hall, Misty Hampton, Patrick Byrne, Cathy Latham, Jil Riddlehoover, Rudy Giuliani, Jenna Ellis, Alex Cruce, Garland

Favorito, Robert Cheeley, Lin Wood, Doug Logan, Sidney Powell, Russell Ramsland, Mark Cook, Paul Maggio, Greg Freemeyer, Jennifer Jackson, Conan Hayes, Phil Waldron, Stefanie Lambert Puntilla, Michael Flynn, Jeffrey Lenberg, Ben Cotton, Shawn Still, any member of the Georgia General Assembly serving during 2020, or other third parties concerning providing any Person with access to Coffee County's EMS server in any way or obtaining copies of Georgia voted ballots from the November 2020 election.

Response: CCBOE objects to this request to the extent that this request seeks attorney client privileged communications and/or attorney work product. Subject to said objection and without waiving same, CCBOE responds as follows: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or Plaintiff's counsel or attached as exhibits to the depositions of Eric Chaney and/or Jil Riddlehoover.

17. All Documents, including Communications, that evidence, refer to, or reflect the approximate date and circumstances that evidence receipt of Doug Logan's (Cyber Ninjas) business card by the Coffee County Board of Elections and Registration or its employees, and all Communications with Doug Logan.

Response: None.

18. All Documents that evidence, refer to, or reflect Communications between You and any Person referencing the names of files or data such Person sought to obtain for forensic analysis of Coffee County Election System equipment involved in the November 2020 election.

Response: None.

19. All Documents provided by You to the Secretary of State or State Election Board related to the Coffee County's Election System and EMS server, including documents or communications related to any investigation concerning Coffee County's Election System and EMS server or the ICC, including any password change of the EMS server.

Response: CCBOE objects to this request as it is overly broad, vague, and burdensome in that it is not limited in time. Subject to said objection and without waiving same, CCBOE responds as follows: CCBOE has no additional responsive documents from November 1, 2020 to present, outside of what has previously been provided to Marilyn Marks or Plaintiff's counsel.

20. Any Document, including Communications, providing a basis for any determination that You have or had the legal authority to permit the copying or imaging of the EMS server or the internal memory of any component of the Election System.

Response: None.

21. All Documents that evidence names of any passengers for a flight on a private aircraft from Atlanta, Georgia to Coffee County, Georgia, or from Coffee County to Atlanta, on January 7, 2021.

Response: None.

22. All Documents that evidence, refer to, or reflect any Communications between You and Scott Hall, Cathy Latham, Misty Hampton, Paul Maggio, Jennifer Jackson, Jeffrey Lenberg, Russell Ramsland, Ben Cotton,

Doug Logan, Greg Freemeyer, Conan Hayes, Stefanie Lambert Puntilla, or Patrick Byrne related to any Person visiting the Elections Office of Coffee County, Georgia for any purpose other than voting or attending noticed public meetings during the period November 1, 2020 through February 27, 2021.

Response: None.

23. All Documents, including Communications, that refer to or reflect any request You received for November 2020 Cast Vote Records and Your response, including copies of electronic files provided, and all Documents related to or referencing the Coffee County Cast Vote Records posted on the site

<https://ordros.com/cvr/index.html>

Response: CCBOE objects to this request as it is overly broad, vague, and burdensome in that it is not limited in time. CCBOE further objects to this request to the extent that this request seeks attorney client privileged communications and/or attorney work product. Subject to said objection and without waiving same, CCBOE responds as follows: Open Records Requests continue to pour into Coffee County and it will take significant time and effort to search back through all requests to determine which do and do not reference CVRs. Many of these documents have been previously produced to Marilyn Marks and additional documents are being produced as part of the response to Hampton emails. We ask that you narrow this request in scope and/or time for any further responsive documents.

24.

Documents that evidence refer to or reflect the standard process or procedures to change the password for the Coffee County EMS server.

Response: See Memo from CES included herein.

24. All Documents regarding or related to State Election Board case #20-250.

Response: CCBOE objects to this request to the extent that this request seeks attorney client privileged communications and/or attorney work product. Subject to said objection and without waiving same, CCBOE responds as follows: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or Plaintiff's counsel or attached as exhibits to the depositions of Eric Chaney and/or Jil Riddlehoover.

25. All Documents, including Communications, that refer to or reflect any change of the EMS server password, problems with the EMS server password, or efforts made to change, update, or recover the password of the Coffee County EMS server or ICC Scanner workstation, or instructions from the Secretary of State concerning such passwords.

Response: CCBOE objects to this request to the extent that this request seeks attorney client privileged communications and/or attorney work product. Subject to said objection and without waiving same, CCBOE responds as follows: See Memo from CES included herein.

26. All Documents, including Communications, informing the Coffee County Board of Elections and Registration or county management of the EMS server password problem, attempts to recover the password, the replacement of the EMS server, or the replacement of the ICC workstation.

Response: CCBOE objects to this request as it is overly broad, vague, and burdensome in that it is not limited in time. Subject to said objection and without waiving same, CCBOE responds as follows: None.

27. All Documents that, during the Relevant Time Period evidence, refer to, or reflect any known violation of State Election Board Rule 183-1-12-.05 (3) limiting the access to the room in which the election management system is located to specific designated persons.

Response: None.

28. All logs created during the Relevant Time Period for access to voting system components in storage as required by State Election Rule 183-1-12-.05 (5) and any Documents reflecting a failure to comply with such rule, or access at any time during the Relevant Time Period by Persons not authorized by such Rule to enter storage area.

Response: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks.

29. All Documents, including Communications, that evidence, refer to, or reflect activities planned or conducted by Lowndes County election officials after February 1, 2021 related to or referring to Coffee County election records, election procedures, or Election System components.

Response: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or attached as exhibits to the depositions of James Barnes, Eric Chaney and/or Jil Riddlehoover.

30. All Documents, such as chain of custody or inventory control documents, that evidence the transfer of Election System components to or from Your office.

Response: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or attached as exhibits to the depositions of Eric Chaney and/or Jil Riddlehoover.

31. Documents, including Communications, prepared during the Relevant Time Period evidencing or related to the annual audit count of all voting system components as required by State Election Board Rule 183-1-12-.06 (7) including all instances of discrepancies or unaccounted for components, and any reports made to the Secretary of State under State Election Board Rule 183-1-12-.06 (6).

Response: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or attached as exhibits to the depositions of Eric Chaney and/or Jil Riddlehoover.

32. All Documents, including Communications, that evidence the specific election records including the Election Project Packages transferred to the Clerk of the Coffee County Superior Court as required by O.C.G.A. §21-2-500(a).

Response: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or attached as exhibits to the depositions of Eric Chaney and/or Jil Riddlehoover.

33. All Documents, including Communications, that evidence the preparation and transfer in the “ballot run” including the Election Project Packages for the November 2020 and January 5, 2021 elections in compliance with Secretary of State instructions at Exhibit 1.

Response: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks.

34. All Documents, including Communications, that evidence, refer to, or reflect activities conducted in conjunction with the Secretary of State's Coffee County December 2020 investigation of the presidential recount and certification, including the involvement of school students.

Response: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or Plaintiff's counsel or attached as exhibits to the depositions of Eric Chaney and/or Jil Riddlehoover.

35. All Documents, including any Documents reflecting or evidencing Communications with Cathy Latham or Shawn Still, or his agents or representatives, that concern, relate to or refer to an election contest challenging the 2020 Presidential election.

Response: None.

36. All Documents that evidence financial transactions, expense reimbursements, financial compensation, professional fees, or arrangements with respect to or related to Access to Coffee County's Election System, EMS Server and Election Data.

Response: None.

37. All Documents, including Communications, that evidence, reflect or refer to Your attempts to recover election data or contained on the Coffee County EMS server before or after it was removed by the Secretary of State, and all information regarding the server's removal from Coffee County.

Response: CCBOE objects to this request to the extent that this request seeks attorney client privileged communications and/or attorney work product. Subject to said objection and without waiving same, CCBOE responds as follows: None.

38. Documents reflecting or referencing Your agreement or legal authority to transfer all electronic 2020 election records to the Secretary of State, including Documents evidencing Your compliance with State Election Board Rule 183-1-12-.06 (3) requiring written authorization for the relocation of the previous EMS server.

Response: None.

39. Documents that evidence, refer to, or reflect the Coffee County replacement of the ICC scanner workstation during 2021 and/or any Communications regarding its inspection, analysis, replacement, and the reason or authorization for the inspection, analysis, or replacement of the ICC scanner.

Response: CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or attached as exhibits to the depositions of Eric Chaney and/or Jil Riddlehoover.

40. Monthly reports prepared for the Coffee County Board of Election and Registration by James Barnes, and distributed during the board meetings, and archived on the Election Office computer as James Barnes referenced in his July 20, 2022 deposition.

Response: We are searching for these records and if located, will produce.

41. Documents reflecting Your records retention policy for election-related emails, general administration emails, and electronic election records.

Response: Please find enclosed.

42. All Documents evidencing, referencing or reflecting Your efforts to retrieve Misty Hampton and Jil Ridlehoover's election-related emails and texts from the computers and phones they used, including any Microsoft Outlook files archived on office computers, personal computers, or county or personal mobile devices.

Response: CCBOE objects to this request to the extent that this request seeks attorney client privileged communications and/or attorney work product. Subject to said objection and without waiving same, CCBOE has no additional responsive documents outside of what has previously been provided to Marilyn Marks or attached as exhibits to the depositions of Eric Chaney and/or Jil Ridlehoover.

43. All Documents including video recordings and Communications related to or concerning the employment termination of Misty Hampton and Jil Ridlehoover.

Response: CCBOE objects to this request to the extent that this request seeks attorney client privileged communications and/or attorney work product. Subject to said objection and without waiving same, CCBOE responds as follows: Please find enclosed.

44. All Documents and related Communications provided by You or on Your behalf to plaintiffs or representatives of plaintiffs related to the 2020

Fulton County Superior Court case # 2020cv343711, including during the 30-day period prior to the filing of the case.

Response: None of which CCBOE is aware.

45. All Documents evidencing Communications during the Relevant Time Period concerning potential access to Election System components or election records between You and Cathy Latham, Scott Hall, Paul Maggio, Jeffrey Lengren, Russell Ramsland, Conan Hayes, Ben Cotton, Doug Logan, Patrick Byrne, Greg Freemeyer, Stefanie Lambert Puntilla, Shawn Still, Kurt Hilbert, William Ligon, or Preston Haliburton, whether such Documents are stored on Your personal devices or in centralized county records.

Response: None.

46. All Documents, including Communications, that evidence or refer to any requests You received beginning March 24, 2021 seeking ballot images under public records laws, and Your response.

Response: CCBOE objects to this request as it is overly broad, vague, and burdensome in that it is not limited in time. CCBOE further objects to this request to the extent that this request seeks attorney client privileged communications and/or attorney work product. Subject to said objection and without waiving same, CCBOE responds as follows: Open Records Requests continue to pour into Coffee County and it will take significant time and effort to search back through all requests to determine which do and do not reference CVRs. Many of these documents have been previously produced to Marilyn Marks and additional documents are being produced as part of the response to Hampton emails. We ask that you narrow this request in scope and/or time for any further responsive documents.

47. The three most recently created reports or Documents exported from or printed from the previous EMS server, such as tabulation reports or ballot images.

Response: CCBOE objects to this request as it is vague and confusing. To the extent that this request seeks records contained on the EMS Server that is the Secretary of State's possession, CCBOE responds as follows: None.

48. All Documents, including Your calendars and visitors logs, that evidence, reference or relate to the Secretary of State's visit to Your office to test and replace the EMS server.

Response: None.

49. Telephone logs on office phones and mobile devices that evidence calls between You and the Secretary of State's office for the period April 1, 2021 through June 30, 2021.

Response: CCBOE does not possess telephone logs.

This 26th day of August, 2022.

HALL BOOTH SMITH, P.C.

/s/ Anthony A. Rowell
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